



**Brandon M. Fierro**  
Counsel

1251 Avenue of the Americas  
New York, New York 10020

T: 973-422-6530  
F: 973-422-6531  
E: bfierro@lowenstein.com

September 9, 2019

**VIA ECF**

Hon. Gregory H. Woods, U.S.D.J.  
United States District Court, Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *Lickteig v. Cerberus Capital Management, L.P., et al.*; No. 19-cv-05263**

Dear Judge Woods:

This firm represents Defendants Cerberus Capital Management, L.P., Covis Pharmaceuticals, Inc., Covis Management Investors LLC, Covis Holdings, L.P. and Dean Mitchell (collectively, “Defendants”) in the above captioned matter. Defendants respectfully request a short extension of the current briefing schedule for their forthcoming motion to dismiss, presently due to be filed on Friday, September 13, 2019 (*see* ECF No. 31 (Text Order)). This is Defendants’ first request for an extension of time. Defendants’ counsel requests the additional time due to newly arisen and unforeseeable personal circumstances (counsel is prepared to provide further detail should the Court so request). The parties have conferred and Plaintiff does not oppose the requested extension. The parties propose the following alternative briefing schedule for the motion to dismiss:

- Defendants’ motion to dismiss due no later than September 20, 2019;
- Plaintiff’s opposition due no later than October 18, 2019;
- Defendants’ reply due no later than October 28, 2019.

The requested extension and proposed briefing schedule do not affect any other scheduled dates. We thank the Court for its consideration and continued attention to this matter.

Respectfully submitted,

/s/ *Brandon M. Fierro*

Brandon M. Fierro

cc: All Counsel of Record (via ECF)